

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C.**

In the Matter of	)	
	)	
Creation of a Low Power Radio Service	)	MM Docket No. 99-25
	)	RM-9208
	)	RM-9242

To: The Commission

**PETITION FOR PARTIAL RECONSIDERATION**

Introduction

The National Translator Association (NTA), by its attorneys, hereby petitions the Commission for partial reconsideration of its *Report and Order*, FCC 00-19, 65 Fed. Reg. 7616 (published February 15, 2000)(*AOrder*≅), in the above-captioned proceeding. NTA is a nonprofit volunteer organization dedicated to the preservation of free over-the-air broadcast service for all areas of the United States. Membership is made up of organizations and individuals licensed to operate FM and TV translator stations, persons who install and maintain translators, and full service broadcasters who benefit from the extended service provided by translators.

### Translator Licensees Should Not Be Subject to Cross-Ownership Prohibition

The Low Power FM *Order*, at paragraph 29, expressly precludes any party with an attributable interest in an existing licensee, including translator licensees, from holding any attributable ownership interest in the licensee of an LPFM station. The Commission justifies the exclusion as a means of enhancing the diversity of broadcast voices. A translator, by definition, is not a voice. Rather, a translator is operated for the purpose of retransmitting the programs and signals of a broadcast station, without significantly altering any characteristic of the original signal other than its frequency and amplitude, for the purpose of providing broadcast service to the general public. *See* Federal Communications Commission Rules and Regulations, Sections 74.701 and 74.1201. Paragraph 23 of the *Order* states that A[t]he use of LPFM stations for public safety purposes will further our goal of better serving local communities.≡ Many local governments operate translators, and they tend to be in rural areas where the lack of local originating stations makes the use of LPFM stations for providing public safety particularly important.

The *Order* limits LPFMs to non-commercial applicants. The non-commercial licensee of an existing translator, which is already providing a public service by extending (not originating) a primary program service, should not be barred from adding a new, very local voice to those currently available to the public.

### Input Signals of Authorized FM Translators and Boosters Should Be Protected

At paragraph 62 of the *Order*, the Commission discusses the protection of existing FM full-service, translator, and booster stations: A[W]e must require that new LPFM stations protect

radio reception within the service areas of existing full-service stations, as well as the existing services of FM translator and booster stations.≡ The *Order* provides protection to the area served by the output of the FM translator [*see* new Rules, Section 73.807(d)], but it fails to unequivocally mandate protection of the input signal to an FM translator or booster, without which such a station provides no service anywhere.

The NTA therefore proposes that the following provision be added, either to Section 73.807(d) or to such other place as the Commission deems appropriate:

An application for an LPFM station will not be granted if it is evident that it will cause uncorrectable interference to the input signal of a licensed or previously authorized FM translator or FM booster station.

If an LPFM station causes interference to a licensed or earlier authorized FM translator or FM booster, its operation shall be suspended and shall not be resumed until the interference has been eliminated. Short test transmissions may be made during the period of suspended operation to check the efficacy of remedial measures.

If a complainant refuses to permit the LPFM operator to test and if, successfully, apply remedial techniques for the elimination of the interference, the licensee or permittee of the LPFM station is absolved of further responsibility for the protection of the translator input signal. The cost of remedial measures, including required hardware and testing services, shall be the responsibility of the LPFM station.

### Conclusion

Accordingly, the NTA respectfully requests that, upon reconsideration, the Commission exclude from the LPFM cross-ownership prohibition persons and entities having attributable interests in translator stations; and that the Commission expressly protect the input signal (as it

does the output signal) of a licensed or previously authorized FM translator or FM booster from interference attributable to a new LPFM station.

Respectfully submitted,

NATIONAL TRANSLATOR ASSOCIATION

By: \_\_\_\_\_  
George R. Borsari, Jr.  
Anne Thomas Paxson

Its Attorneys

BORSARI & PAXSON  
2021 L Street, N.W.  
Suite 402  
Washington, D.C. 20036  
(202) 296-4800

March 16, 2000